



Express Mail No. **EV 452 776 881 US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rozhon *et al.*

Confirmation No.: 9130

Serial No.: 09/712,033

Art Unit: 1651

Filed: November 14, 2000

Examiner: Irene Marx

For: Enteric Formulations of Proanthocyanidin
Polymer Antidiarrheal Compositions

Attorney Docket No.: 11133-004-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated August 31, 2005 of the Primary Examiner finally rejecting claims 21-38, 40, 75 and 76 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three (3) month(s) from November 30, 2005 up to and including February 28, 2006:
☐ was filed on
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$500.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: February 27, 2006

Margaret B. Brivanlou
Margaret B. Brivanlou
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

REG NO 40,203
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